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December 17, 2012

**VIA ELECTRONIC FILING**

The Honorable Roanne L. Mann  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Akman v. Pep Boys Manny, Moe & Jack of Delaware, Inc.*  
*d/b/a Pep Boys Auto*; Civil Action No. 11-03252-MKB-RLM

Dear Judge Mann:

As you know, we represent Defendant Pep Boys Manny, Moe & Jack of Delaware, Inc. (“Pep Boys”) in the above-referenced matter. On December 4, 2012, Pep Boys filed its Letter Motion for Sanctions against Plaintiff and/or Plaintiff’s counsel. (See Dkt. No. 37.) On December 5, 2012, this Court issued an Order to Show Cause demanding that Plaintiff’s counsel file a sworn statement by December 10, 2012 responding to Pep Boys’ Motion. (See Dkt. No. 38.) Plaintiff has once again ignored this Court’s Order. Indeed, Plaintiff filed absolutely no response to Pep Boys’ Motion. Accordingly, Pep Boys respectfully requests that its Motion be granted in full, and that this Court grant all sanctions against Plaintiff and Plaintiff’s counsel that it deems to be appropriate, up to and including dismissal of this civil action.

Respectfully Submitted,

/s/ Sean W. Sloan  
Sean W. Sloan

c: Joel M. Gluck, Esquire  
Michael L. Banks, Esquire